

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

24 FEB 1993

Docket Files  
Rm 222  
DOCKET FILE COPY ORIGINAL

IN REPLY REFER TO:

7330-7/1700A3

Honorable Alan Wheat  
House of Representatives  
2334 Rayburn Building  
Washington, D.C. 20515

RECEIVED

APR 12 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Wheat:

This is in reply to your letter of February 8, 1993, in which you inquired on behalf of your constituent, C. W. Reed, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Reed is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

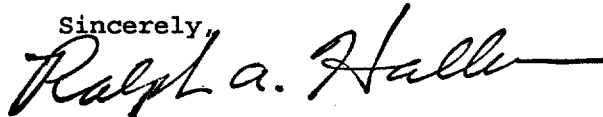
No. of Copies rec'd  
List A B C D E

071

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:  
Notice  
Order  
Discussion paper  
cc:  
Chief, PRBureau  
Chief, LM&M Divison  
Docket Files, Room 222  
P&P Branch File (Pink)

CNTL NO - 9300536

DFertig/RShiben:/rb/lm:PR  
CONGRESS/9300536

# Congressional

DUE OBC 82-19-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
02/11/93

LETTER REPORT

CONTROL NO. DATE RECEIVED DATE OF CORRESP DATE DUE DATE DIR OIA (857)

ALAN WHEAT  
5TH DISTRICT, MISSOURI



PRB  
92-235

2334 RAYBURN BUILDING  
WASHINGTON, DC 20515-2505  
(202) 225-4535

811 GRAND AVENUE, #935  
KANSAS CITY, MO 64108-1997  
842-4545

301 WEST LEXINGTON, #221  
INDEPENDENCE, MO 64050-3724  
833-4545

MEMBER:  
COMMITTEE ON  
RULES  
  
SELECT COMMITTEE ON  
CHILDREN, YOUTH  
AND FAMILIES  
  
SELECT COMMITTEE  
ON HUNGER

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2505**

February 8, 1993

Mr. Steven Klitzman  
Associate Director, Legislative Affairs  
Federal Communications Commission  
Room 808  
1919 M Street, N.W.  
Washington, DC 20554

Dear Mr. Klitzman:

Enclosed you will find a copy of a letter that I received from one of my constituents, Mr. C.W. Reed, who brought to my attention his concerns about a proposed FCC rule altering the amount of radio spectrum available for radio controlled model airplanes.

After reviewing Mr. Reed's letter, I would appreciate any information you may be able to provide me that would allow me to respond to his concerns. You may direct your response to my Washington office.

Thank you very much for your time and attention to this matter.

Sincerely,

Alan Wheat  
Member of Congress

RECEIVED  
FEB 12 2 20 PM '93  
PRIVATE

JAN 26 1993

47452

EC

1/19/92

The Honorable Allen Wheat  
1210 Longworth Building  
Washington DC, 20515

RE: FCC Notice of Proposed  
Rule Making  
PR Docket 92-235

Dear Representative Wheat,

I am a retired person that flies Radio Control aircraft and have been involved in this hobby/sport for over 30 years. I am newsletter editor of our local club of 100 members and I personally own 5 complete radio control systems and many, many planes. I have a personal investment in R/C equipment approaching \$10,000.

I am very upset about the FCC proposed rules which would close to eliminate, or at least severely restrict our hobby. In addition it would make what is now safe flying very dangerous. The FCC proposed rule is PR Docket 92-235. We now have a 10 KHz spacing between our frequencies and the next (commercial) frequency. FCC is now proposing to give the Land Mobile Service enough frequencies to cut this safety zone down to an unreasonable and dangerous 2.5 KHz.

The FCC is proposing to delete Part 90 which gives us safe flying and replace it with a new Part 88. This will render either unusable or dangerous at least 2/3 and probably more of the 50 frequencies now assigned to us. We cannot now use all these frequencies in some cities because even at the current 10KHz spacing some commercial users there have so high power that they bleed over and make a block of our assigned frequencies unusable.

We are extremely safety oriented and go to great lengths to assure safety for both flyers and onlookers. This change would greatly increase the risk of great material damage or even death or injury. Some of the planes flown are 10 ft in wingspan and weigh 30 to 40 pounds. If a person with one of the new proposed frequencies would get near an R/C field they would knock planes out of the sky and with no control whatsoever. Help us keep our hobby safe!

There are estimated to be about 300,000 R/Cers that fly aircraft and about as many that run cars and boats. Each one has a minimum of \$600 invested and there is no upper limit to any hobby, many have thousands invested.

Please help us continue the safe enjoyment of our hobby/sport by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 Mhz band. We urgently need your help NOW as they have tried to slide by unnoticed with an close and unreasonable review date of FEBRUARY 26, 1993. After that it would be almost impossible to have them rescind the change.

Thank you for your help in this critical area.

Sincerely,



C. W. Reed  
5408 Woodson Road  
Raytown, MO 64133